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E.O. 12958: N/A
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SUBJECT: USG-FUNDED LABOR RIGHTS PROJECTS UPDATE
AID,

REF: 09 BOGOTA 3031; 10 BOGOTA 49

11. Summary: The USG has allocated \$33 million to improve labor rights in Colombia through 17 projects in the 2001-2011 timeframe: one by the Department of State's Bureau of Democracy, Human Rights, and Labor (DRL), six by the Department of Labor (DOL), and ten by the U.S. Agency for International Development (USAID). The projects have centered on increasing labor rights awareness, protecting labor leaders, training and building capacity among trade unions, and eradicating child labor. Funding recipients have been institutions that play key roles in Colombian labor relations, such as the GOC's Ministry of Interior and Justice (MOIJ) and Ministry of Social Protection (MPS), the International Labor Organization (ILO), the AFL-CIO American Center for International Solidarity (Solidarity Center), and numerous unions. Additionally, the U.S. Department of Justice (DOJ) has provided \$12 million in law enforcement training, equipment, and technical assistance to the Colombian Prosecutor General's Office Human Rights Unit, which since October 2006 has included a Labor Sub-Unit tasked with investigating and prosecuting crimes against trade unionists. DOJ assistance has enhanced the Labor Sub-Unit's capabilities, particularly in murder cases, leading to higher conviction rates in crimes against trade unionists. End summary.

PROMOTING FUNDAMENTAL PRINCIPLES AND LABOR RIGHTS

12. DOL allocated \$2 million to a project designed to improve Colombian labor relations and gender equality in the work place. The project, which began in February 2002 and lasted three years, was implemented through the ILO. It included a public campaign on fundamental principles and rights of work, focusing on collective bargaining and freedom of association; defined and implemented best practices in 10 key enterprises; and developed alternative systems for labor dispute settlements. It also coordinated the design of an employment generation and poverty reduction policy for female heads of household, and provided business management training and credit opportunities to women. More recently, DRL allocated \$500,000 to an ILO-managed program that promotes labor rights through increased social dialogue. The project, which began in

September 2008 and will end in May 2010, seeks to improve communication between government, employers, and workers. The ILO uses the funding to support important national institutions, such as the National Commission on Wage and Labor Policy; enhance the judiciary's ability to address labor rights violations through targeted training for judges; and educate government and private sector stakeholders in conflict resolution and collective bargaining processes.

ENHANCING SKILLS OF COLOMBIAN TRADE UNIONISTS

13. Between February 2002 and March 2005, 43 trade unionists received administrative and technical training in the United States in association with a \$1.7 million, DOL grant to the Solidarity Center. More recently, DOL dedicated \$1.25 million to a train-the-trainer exchange program for emerging labor leaders that began in September 2008 and is slated to run through 2010. Trainees visit unionized workplaces in the United States and receive instruction in social dialogue, interest-based bargaining, mediation, and arbitration, and then return to replicate the training among their union colleagues. Twenty-seven labor leaders completed eight-week training programs in 2009; 15 more are slated for spring 2010. USAID has launched a complementary \$1.5 million project to strengthen organizational capacity among trade unions and promote labor code reform through the Solidarity Center. The

three-year program began in 2009 and currently focuses on six unions in four key sectors: ports, African palm, artisanal goods, and food.

EXPLORING THE CAUSES OF LABOR VIOLENCE

14. USAID has allocated \$301,000 to a United Nations Development Program study aimed at exploring the root causes of labor violence and promoting tripartite dialogue. Participants include Colombia's three largest labor confederations (CUT, CGT, and CTC), the National Union School (ENS) think tank, GOC representatives, the National Association of Colombian Entrepreneurs (ANDI), and six research centers that will carry out the project's component studies. Eight embassies are funding the initiative (the USG is the largest donor). The project began in September 2009 and the target completion date is August 2010, when UNDP will host an international conference to present the results (reftel a).

COMBATING THE WORST FORMS OF CHILD LABOR

15. DOL has funded three projects aimed at eliminating the worst forms of child labor in Colombia within the past decade. First, DOL allocated \$800,000 in 2001 to eliminating child labor in informal-sector mining. As a result of the four-year program, 2,187 children were withdrawn or prevented from working in clay, coal, emerald, and gold mines. Second, in 2004 DOL funded a four-year, \$3.5 million project to combat child labor in the municipalities of Funza and Madrid. The initiative raised awareness of child labor among parents, children, teachers, and government officials; funded research studies on child labor; and withdrew or prevented 6,517 children from exploitive work in agriculture and the urban, informal sector. Third, DOL allocated \$5 million in 2007 to support GOC efforts to combat child labor. The funding provides technical support over a four-year period to municipal and departmental governments implementing the GOC's National Strategy for the Elimination of Child Labor. It also establishes model school programs called "Spaces to Grow," and conducts outreach to parents, teachers, and community leaders. So far, the program has set up 183 model school programs and removed and prevented 6,084 children from exploitive labor.

LABOR INSPECTION STRENGTHENING

¶16. USAID provided \$1 million over the 2005-2009 period to the MPS to support the design and implementation of a comprehensive risk-management model for preventive labor inspections. Specific activities included a detailed evaluation of the previous workplace inspection system (completed in 2005), and the development of a new inspection model emphasizing prevention, risk-analysis based inspections, and negotiated solutions to labor conflicts. Implementation of the new model began in 2007 with pilot programs in five departments. It has since expanded to cover more than 60% of the formal workforce (85% of registered firms). As a result of the program's success, the GOC has decided to hire and train 207 new labor inspectors by the end of 2010 (currently there are 180).

PROMOTING AND STRENGTHENING LABOR RIGHTS

¶17. USAID allocated \$450,000 from 2005-2009 to a study that analyzed the consistency of Colombian legislation with ILO standards, including recommended changes; helped design a new labor law concerning the right to strike; conducted cost-benefit analysis of adapting the right to strike law to the public-service sector; made policy recommendations on the registration of industry-level unions; and supported the development and implementation of an oral adjudication system for labor disputes. The study, entered into by bilateral agreement, helped to guide relevant GOC policy.

CHILD LABOR ERADICATION MODEL

¶18. USAID allocated \$570,000 to combating child labor over the 2005-2009 timeframe. Activities undertaken in conjunction with this project included an analysis of the causes of child labor; identification of critical sectors and localities; detailed policy recommendations; public awareness outreach seminars; and the design of a conditional subsidies model to assist families with working children. The MPS relied on the associated analysis and policy recommendations to refine its strategy for eradicating child labor and promoting greater compliance with domestic child labor laws.

FUNDAMENTAL LABOR RIGHTS DISSEMINATION

¶19. USAID allotted \$100,000 in 2008 to carrying out a series of outreach seminars in 13 Colombian cities aimed at raising public awareness of fundamental labor rights and promoting voluntary adoption of international labor norms, such as the SA 8000, a global "social accountability" standard for decent working conditions developed and overseen by Social Accountability International (SAI). The MPS has developed a proposal for a public policy framework to promote decent work in line with ILO standards and recommendations based on the USAID initiative.

PROTECTING VULNERABLE LABOR LEADERS

¶10. USAID has allocated \$12.4 million over ten years (2001-2011) to support the Ministry of Interior and Justice (MOIJ) Protection Program. The MOIJ provides soft protection (self-protection training, mobile phones, and temporary relocations) and hard

protection measures (armoring offices and vehicles; providing bullet-proof vests) to threatened individuals. In 2009, the MOIJ protected 11,179 social activists, journalists, and other vulnerable groups, including 1,550 trade union leaders, at an annual cost of \$56 million. Additionally, USAID allocated \$479,000 in 2009 to support the Ombudsman's Office Early Warning System (EWS), which monitors risk indicators so that authorities can respond quickly to threats against civilians, including trade unionists. USAID also allocated \$40,066 to sponsor a dialogue between the Colombia National Police (CNP) and civil society groups in 16 cities, and worked through the CNP Inspector General to incorporate discussions on labor rights and freedom of association into CNP training.

LABOR OUTREACH AND COMMUNICATION CAMPAIGN

¶11. USAID funded a \$1 million, one-year project which began in September 2008 aimed at developing a series of media campaigns and outreach activities to combat the stigmatization of unions and their leaders. The funds were used to produce a television commercial, radio spots, and posters and flyers; support the development of a social marketing campaign; sponsor seminars that trained journalists on responsible labor reporting in the media; and convene expert forums on labor rights.

DEVELOPING PROSECUTORIAL CAPACITY

¶12. As part of its law enforcement assistance program for the Prosecutor General's Human Rights Unit, DOJ has provided ongoing training, equipment, and technical assistance to the Labor Sub-Unit since 2006. The Labor Sub-Unit is tasked with investigating and prosecuting criminal cases in which victims were allegedly targeted for their union activities. All of the Labor Sub-Unit's 19 prosecutors have received DOJ training in interviewing witnesses, victims' rights, collecting evidence, conducting murder investigations, preparing cases for trial, and trial techniques. Total convictions rose significantly as a result: the Labor Sub-Unit has obtained 184 (79%) of the total convictions against perpetrators of anti-union crimes obtained by the Prosecutor General's Human Rights Unit (reftel b).
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